

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

AMENDED

UNITED STATES OF AMERICA,

VS.

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT EDNY

JUDGMENT INCLUDING
SENTENCE

NO. CR 04-1015-02(JG)
USM# 71386-053

★ FEB 13 2006 ★

PRAXEDIS PEREZ

BROOKLYN OFFICE

Roger Burlingame
Assistant United States Attorney

Ronald Tolkin
Court Reporter

Ellyn I. Bank, Esq.
Defendant's Attorney

The defendant Praxedis Perez having pled guilty to count one of the indictment accordingly, the defendant is ADJUDGED guilty of such Count(s), which involve the following offenses:

<u>TITLE AND SECTION</u>	<u>NATURE OF OFFENSE</u>	<u>COUNT NUMBERS</u>
21USC846 AND 841(b)(1)(B)(I)	CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE HEROIN	ONE

The defendant is sentenced as provided in pages 2 through 4 of the Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1988.

The defendant is advised of his/her right to appeal within ten (10) days.
 The defendant has been found not guilty on count(s) and discharged as to such count(s)
 Open counts are dismissed on the motion of the United States.
 The mandatory special assessment is included in the portion of Judgment that imposes a fine.
 It is ordered that the defendant shall pay to the United States a special assessment of \$100.00 which shall be due immediately.

It is further ORDERED that the defendant shall notify the United States Attorney for this District within 30 days of any change of residence or mailing address until all fines, restitution, costs and special assessments imposed by this Judgment are fully paid.

JANUARY 26, 2006

Date of Imposition of sentence

s/John Gleeson

J - S - 06

JOHN GLEESON, U.S.D.J.

Date of signature

A TRUE COPY ATTEST
DEPUTY CLERK

John Gleeson

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of: **THIRTY-SIX (36) MONTHS**

The defendant is remanded to the custody of the United States Marshal.

The Court recommends that the defendant receive substance abuse treatment while incarcerated. The Court also recommends that the defendant be designated to the Otisville correctional facility, if consistent with Bureau of Prison policy.

The defendant shall surrender to the United States Marshal for this District.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

-12:00 noon.
 As notified by the United States Marshal.
 As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ with a certified copy of this Judgment.

United States Marshal

By: _____

SUPERVISED RELEASE

Upon release from Imprisonment, the defendant shall be on supervised release for a term of: **FIVE (5) YEARS,**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another Federal, State, or Local crime and shall comply with the standard conditions that have been adopted by this Court (Seaforth on the following page).

The defendant is prohibited from possessing a firearm.

The defendant shall not illegally possess a controlled substance.

If this Judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

THAT THE DEFENDANT RECEIVE SUBSTANCE ABUSE TREATMENT AS DIRECTED BY THE PROBATION DEPARTMENT.